IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)				
	Plaintiff,) 8:11CR298)		
	vs.)) DETENTION ORDER		
GF	REGORY M. CHOLLAR,			
	Defendant.			
A.	After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on September 9, 2011, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).			
B.	Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.			
C.	The Court's findings are based on the evidence which was presented in court and contained in the Pretrial Services Report, and includes the following: X (1) Nature and circumstances of the offense charged: X (a) The crime: a conspiracy to distribute and possess with intent to distribute methamphetamine (Count I) in violation of 21 U.S.C. § 846 carries a minimum sentence of five years imprisonment and a maximum of forty years imprisonment; and the distribution of methamphetamine (Counts II - IV) each carry a maximum sentence of twenty years imprisonment. (b) The offense is a crime of violence. (c) The offense involves a narcotic drug. (d) The offense involves a large amount of controlled substances, to wit: (2) The weight of the evidence against the defendant is high. X (3) The history and characteristics of the defendant including:			
	may affect wheth The defendant hat X The defendant hat X The defendant hat The defendant is The defendant defendant defendant of the defendant hat X X The defendant hat X X The defendant hat X The defendant hat X The defendant hat	as a history relating to drug abuse. as a history relating to alcohol abuse. as a significant prior criminal record. as a prior record of failure to appear at		

		of the current arrest, the defendant was on: bation
	Par	
	Rel	ease pending trial, sentence, appeal or completion of tence.
	(c) Other Facto	
	`´ The	e defendant is an illegal alien and is subject to ortation.
	The	e defendant is a legal alien and will be subject to ortation if convicted.
	The	Bureau of Immigration and Custom Enforcement CE) has placed a detainer with the U.S. Marshal.
X	release are as follo	seriousness of the danger posed by the defendant's ws: The nature of the charges in the Indictment and the all and substance abuse history.
Χ	(5) Rebuttable Presu	mptions
		the defendant should be detained, the Court also relied
	on the following r	ebuttable presumption(s) contained in 18 U.S.C. §
3142(e) which the Court finds the defendant has not rebutted:		
		ndition or combination of conditions will reasonably
		ppearance of the defendant as required and the safety
		person and the community because the Court finds that
	the crime in	
		A crime of violence; or
	<u>X</u> (2)	An offense for which the maximum penalty is life imprisonment or death; or
	X (3)	A controlled substance violation which has a maximum
	\ \ /	penalty of 10 years or more; or
	(4)	A felony after the defendant had been convicted of two
		or more prior offenses described in (1) through (3)
		above, and the defendant has a prior conviction for
		one of the crimes mentioned in (1) through (3) above
		which is less than five years old and which was
	Y (b) That no co	committed while the defendant was on pretrial release.
		pndition or combination of conditions will reasonably ppearance of the defendant as required and the safety
		nunity because the Court finds that there is probable
	cause to be	
		That the defendant has committed a controlled
	<u> </u>	substance violation which has a maximum penalty of
		10 years or more.
	(2)	That the defendant has committed an offense under 18
		U.S.C. § 924(c) (uses or carries a firearm during and
		in relation to any crime of violence, including a crime of
		violence, which provides for an enhanced punishment
		if committed by the use of a deadly or dangerous
		weapon or device).

D. Additional Directives
 Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:
 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable,

DETENTION ORDER - Page 3

from persons awaiting or serving sentences or being held in custody pending appeal;

2. The defendant be afforded reasonable opportunity for private consultation with counsel; and

3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: September 9, 2011. BY THE COURT:

s/Thomas D. Thalken

United States Magistrate Judge